

EXHIBIT 5

to the Southern Utah Wilderness Alliance's

Motion to Intervene

*BlueRibbon Coalition, Inc. v. U.S. Bureau of Land
Management, 4:25-cv-00022-DN*

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**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH
CENTRAL DIVISION, SOUTHERN REGION**

BLUERIBBON COALITION, INC. *et al.*,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, *et al.*,

Defendants,

and

**SOUTHERN UTAH WILDERNESS
ALLIANCE,**

Proposed Defendant-Intervenor.

Case No. 4:25-cv-00022-DN

**[PROPOSED] DEFENDANT-
INTERVENOR'S RESPONSE TO
PLAINTIFFS' COMPLAINT**

Judge David Nuffer

Proposed Defendant-Intervenor Southern Utah Wilderness Alliance (SUWA), through counsel, hereby responds to Plaintiffs' Complaint¹ (ECF No. 1) in the above-captioned matter as follows: the aspects of the Bureau of Land Management's San Rafael Swell Travel Management Plan challenged by Plaintiffs are neither arbitrary nor capricious and are instead supported by substantial evidence.

SUWA also raises the following affirmative defenses:

1. Plaintiffs fail to state a claim upon which relief may be granted for all or some of the claims in the Complaint;
2. All or some of the claims in Plaintiffs' Complaint are not justiciable.

Respectfully submitted March 10, 2025.

/s/ Hanna Larsen

Stephen Bloch

Laura Peterson

Hanna Larsen

*Attorneys for Proposed Defendant-Intervenor
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¹ Civil actions seeking judicial review under the Administrative Procedure act are governed by DUCivR 7-4, which states in relevant part that a party may respond to a complaint with a "short and plain statement...admitting or denying that the decision, or any part of it, is arbitrary and capricious or not supported by substantial evidence." [DUCivR 7-4\(b\)\(2\)\(B\)](#).